

## REMARKS

Applicants acknowledge receipt of an Office Action dated August 28, 2007. Claims 1-11 are currently pending in the application. Claim 1 is currently amended to further clarify the invention. Support for this claim amendment can be found in the specification as originally filed, *inter alia*, at page 3, lines 30-31 and page 4, lines 5-17. Claims 3 and 7 are currently amended to properly format the claims and correct typographical errors. New claim 11 has been added. Support for new claim 11 can be found in the specification as originally filed, *inter alia*, at page 2, lines 6-20.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### Specification

On page 2 of the Office Action, the PTO has objected to the abstract of the disclosure for allegedly using legal phraseology. Applicants respectfully submit a replacement abstract with this response.

On pages 2-3 of the Office Action, the PTO has objected to references to claim 1 in the specification. Applicants have amended the paragraphs starting at page 1, line 5 and starting at page 4, line 19, to remove any references to specific claims. No new matter has been added. Applicants further deleted the paragraph starting at page 2, line 1 to remove any reference to specific claims.

Applicants respectfully submit that the outstanding objections to the specification have been overcome and ought to be withdrawn.

### **Claim Objections**

On page 3 of the Office Action, the PTO objects to claim 7 for allegedly containing informalities. Applicants have amended claim 7 to remove any alleged informalities.

### **Rejection Under 35 U.S.C. § 102 – EP 1 359 035**

On page 4 of the Office Action, the PTO has rejected claims 1-3 and 6 under 35 U.S.C. § 102(b) as allegedly being anticipated by European Patent No. EP 1 359 035 (hereafter “EP ‘035”). Applicants respectfully traverse this rejection for at least the reasons set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Here, EP ‘035 fails to disclose a nozzle array where “there is a gap between the grille and the cover plate planarly disposed with the grille” and “wherein the outer part flow duct provides a diffuse flow path and the inner part flow duct is approximately straight” as recited in amended claim 1.

Applicants respectfully submit that the outstanding rejection based on EP ‘035 has been overcome and ought to be withdrawn.

### **Rejection Under 35 U.S.C. § 102 – U.S. 5,356,336, U.S. 5,890,958, & JP 59215533**

On page 5 of the Office Action, the PTO has rejected claims 1 and 4-5 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 5,356,336 to Stouffer *et al.* (hereafter “Stouffer”). On page 6 of the Office Action, the PTO has rejected claims 1, 7, and 9 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 5,890,958 to Greiner *et al.* (hereafter “Greiner”). In addition, on page 7 of the Office Action, the PTO has rejected claims 1, 8, and 10 under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent No. 59215533 to Nakagawa *et al.* (hereafter “JP ‘533”). Applicants respectfully traverse these rejections for at least the reasons set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP §2131.

Here, Stouffer, Greiner, and JP '533 each fail to disclose a nozzle array "wherein the grille partially conceals the nozzle outlet and there is a gap between the grille and the cover plate" as recited in claim 1.

The nozzle as described in Stouffer, discloses a nozzle "which is closed off by grill 20." Col. 3, ln. 25. Furthermore, Figs. 1a-b and 2 of Stouffer illustrate a nozzle which is completely covered by grill 20.

As admitted by the PTO on page 6 of the Office Action, the nozzle as described in Greiner includes a "screen 12 [that] covers the entire end of the ventilation nozzle except for the open flow area, which is comprised of screen openings 17 separated from one another by screen webs 16."

In relation to JP '533, as admitted by the PTO on page 7 of the Office Action, "grille 2 completely extends over the center and perimeter nozzle outlets as shown in Figure 1."

For at least these reasons, Applicants submit that the rejections based upon Stouffer, Greiner, and JP '533 are improper and ought to be withdrawn. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections under § 102.

### **Newly Added Claim**

In this response, Applicants have added claim 11 which depends from claim 1. Applicants believe that claim 11 is allowable by virtue of its dependency from claim 1.

## CONCLUSION

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By P.D.S.

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